vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3440 OF 2004
IN
CRIMINAL APPLICATION NO.1382 OF 2005
IN
CRIMINAL APPEAL NO. OF 2005

The State of Maharashtra ... Appellant

V/s.

Shrihari Bhanudas Patil & Ors. ... Respondents

Mr.D.R. More, APP, for Appellant
Mr.R.S. Kate for Respondent Nos.1 to 3 and 6

CORAM: **V.G. PALSHIKAR, Ag. C.J. & SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 28, 2006**

P.C.:

. This is an application for condonation of delay filed in the year 2004. 19 respondents are there and service on six of them is not effected as yet. Two years time has been consumed for doing so.

2. If the State of Maharashtra through its police is not able to serve the respondents, who were prosecuted, it is difficult for us to comprehend maintainance of law and order. In such circumstances, we deem that an extreme step of dismissing of the application for condonation of delay for want of prosecution by the State is necessary.

3. Application for condonation of delay therefore, dismissed. As a consequence thereof, the application

for leave to appeal is also dismissed.